

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
ex rel DEREK HAWKINS,

Plaintiff-Relator,

NO: 04-40155

vs.

HON: SEAN COX

ASPLUNDH TREE EXPERT
COMPANY, a Pennsylvania corporation,
ASPLUNDH ENVIRONMENTAL
SERVICES, INC., a Pennsylvania
corporation, ASPLUNDH
BRUSH CONTROL COMPANY,
a Pennsylvania corporation, SCOTT
MARRITT, JEFFREY LYNCH, MID-
MICHIGAN RECYCLING, a Michigan
corporation, and SPENCER TRUCKING
OF MICHIGAN LTD., a Michigan corporation,
Jointly and Severally,
Defendants.

SOMMERS SCHWARTZ, P.C.
PATRICIA A. STAMLER (P35905)
Attorneys for Plaintiff-Relator
2000 Town Center, Suite 900
Southfield, MI 48075
(248) 355-0300

EX-PARTE ORDER OF DISMISSAL WITHOUT PREJUDICE
TO THE UNITED STATES AND THE RELATORS

Plaintiff/Relator, by and through his attorneys SOMMERS SCHWARTZ, P.C., and with the consent of the United States filed their Ex-Parte Motion to Dismiss Qui Tam Case Without Prejudice to the United States and the Relator pursuant to Rule 41(a). The qui tam was filed pursuant to 31 U.S.C. § 3730(b). As required by the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States has consented

in writing solely to the dismissal without prejudice to the United States and the Relators, and the Court being fully advised, now therefore,

IT IS HEREBY ORDERED that the above-captioned matter shall be dismissed without prejudice to the United States and the Relators and without costs or attorneys fees; and

IT IS SO ORDERED:

June 14, 2007
Date

s/ Sean F. Cox
HONORABLE SEAN COX
U.S. District Court Judge

PROOF OF SERVICE

The undersigned certifies that the foregoing order was served upon counsel of record and the United States Attorney's Office via the Court's ECF System and/or U. S. Mail on June 14, 2007 June 14, 2007.

s/Jennifer Hernandez
Case Manager to
District Judge Sean F. Cox